



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605
(207) 667-2242
town@lamoine-me.gov

Draft

Minutes of March 13, 2014

Deputy Town Clerk Stu Marckoon called the meeting to order at 7:00 PM.

Present were: Selectmen Heather Fowler, Nathan Mason, Bernie Johnson, S. Josephine Cooper, Gary McFarland; Administrative Assistant Stu Marckoon, Assessors Jane Fowler & Michael Jordan, School Committee members Brett Jones, Gordon Donaldson, Valerie Peacock, Michael Brann, Robert Pulver and member of the public Lynne Hutchinson.

Chair – Bernie nominated Gary to be the chair for the 2014/15 year. Heather 2nd. **Vote in favor was 4-0 (McFarland abstained)**

Vice Chair – Gary nominated Jo to be the vice chair. Nathan 2nd. **Vote in favor was 4-0 (Cooper abstained).**

Transfer Station – Gary reported that Bill Fennelly resigned from his position last Friday night via text message to Stu. He reported that Chris Meyer filled in on Saturday, as backup Adam Sargent was unable to fill in. He said Mr. Meyer could fill in for the rest of the month. Stu reported that he placed an ad for a replacement for Mr. Fennelly in the Ellsworth American and on the town's website.

Heather moved to accept Mr. Fennelly's resignation. Nathan 2nd. **Vote in favor was 5-0. Selectmen signed a letter to Mr. Fennelly accepting the resignation.**

Expenditure Warrant 17 – Selectmen signed Warrant 17 in the amount of \$310,829.33. Stu reported the RSU 24 payment and the new fire truck (which will arrive Saturday) were the large items on the warrant. He noted the fire department has completed the donation of \$25,000 toward the truck, as well as paying for the budget overrun after some change orders for the tanker.

Special Town Meeting Date – Gary said the suggested date was April 10. Jo noted the annual town meeting date was adjourned to that date last night due to the weather. Stu said the warrant he drafted had three articles, the first being to elect a moderator, the second to appropriate surplus funds to cover the East Lamoine Cemetery bill, and the final being the petitioned question to amend the Building and Land Use Ordinance.

Gary moved to set the special town meeting date for April 10th following the resumption of the annual town meeting. Jo 2nd. Bernie said he didn't think setting the special meeting on top of the annual meeting was a good idea. He asked about the required Planning Board public hearing. Stu said that was set for March 27, 2014 at 6:30 PM at the school.

Bernie said he would like to discuss whether to hold the meeting as an open special town meeting or a referendum. Stu said the Selectmen have the right to select the method. Bernie noted that 380-people turned out to vote in the municipal election on Tuesday, and it's possible that many folks would want to vote on the petitioned issue.

He said a town meeting is tough on people with children. Heather asked if the school budget would be voted on in May. The school committee members present said they were unsure of a date.

Jane Fowler asked if the Select Board would be meeting after the Planning Board hearing. She noted that child care used to be provided at town meeting. Bernie said the issue could drag on and that would not be beneficial. Gary said he would remove his motion from the floor. Nathan said he was not in favor of just a 10-day window between a public hearing and the vote. Jo said the purpose of the public hearing was to inform voters and the open town meeting also serves that purpose. She said it helps folks to know what this question is all about.

Brett asked when the 60-day deadline was to set a town meeting date. Gary said it was April 7, 2014. Jo asked what the purpose of delaying the vote would be. Bernie said he would prefer not to have this taken up at the end of the annual town meeting, but instead to give the issue its own day. Jo said she was trying to respect the petitioners' request to deal with the matter swiftly. Bernie said he thinks this is a big issue and is concerned that the school gym is not big enough to accommodate all of those who wish to vote on the matter.

Heather said she would like to see the petitioned question voted on by referendum. Gary asked if there is a primary election in June. Stu said there is, and it's possible the school budget validation vote might occur on the same date. Bernie said he was concerned about the town meeting date being set so far out. Gary noted the April 7 deadline. Jo asked if the discussion was just for the proposed article 3 (the petitioned question). Gary said if this were decided following the annual town meeting, it would make for a very long night. Nathan said the cemetery matter does not seem to be a contentious issue. Gary said he would like to see this dealt with as soon as possible following the annual town meeting.

Referendum vs. Open Meeting – Heather moved to vote on the petitioned article by referendum. Bernie 2nd. Jo said there is a date set for the open town meeting and people will be there. She said April 10th would be the optimum date.

Brett Jones said the idea of having the full annual town meeting followed by a contentious article requires a lot of time commitment. He said it makes sense to have a separate meeting. Jo said an open town meeting gives those voting a good opportunity to discuss the question. Gordon Donaldson said the Planning Board discussed the matter last week, and the rap on a referendum vote is that voters are not as well informed. Gary noted that a public hearing is required. **Vote in favor was 3-1 (Cooper opposed, Mason abstained).**

Referendum Date – There was a lengthy discussion about which date to put the question to a referendum vote. Mike Jordan said there is already a primary election set for June 10. Lynn Hutchinson introduced herself. She said she is studying mediation and conflict in college and wished to do a conflict assessment on gravel pit issues.

Bernie said he was looking to vote as soon as possible, but he hears Mr. Jordan's point about having two separate referendum votes instead of one. He said June 10 would work for him if there is consensus. Nathan said he doesn't like setting the date so far out. Jo asked about scheduling the referendum right before the open town meeting. Stu said absentee ballots need to be available at least 30-days before the referendum, so that would not work.

Jane Fowler said the 150-folks who signed the petition know what they want, and setting a vote a few days after a hearing is moving too fast. Jo said there had been a lot of discussion on the topic for the past two months. Mr. Jordan said the issue has not really gone beyond the petitioners and the Selectmen/Planning Board.

After further discussion, Nathan moved to set June 10, 2014 as the referendum date. Bernie 2nd. **Vote in favor was 5-0.**

Stu asked about the cemetery budget question. The Selectmen said that could be placed on the same town meeting warrant as the school budget.

Select Board Meeting Schedule – Jo noted the gravel work group is meeting next Thursday. The board agreed to meet on March 27, 2014 at 6PM at the school prior to the Planning Board public hearing on the petitioned question and the MUBEC amendments to the Building and Land Use Ordinance. The board will also meet on April 3, 2014, the annual town meeting will resume on April 10, 2014, and the next Selectmen's meeting will be April 24. From that point on, the meetings will be scheduled for the 2nd and 4th Thursdays of the month.

Disbursement Policy – Stu provided a brief explanation of the policy. Jo moved to approve it as written. Nathan 2nd. **Vote in favor was 5-0. Selectmen signed the policy.**

Meeting with School Board – Brett Jones noted the school committee meeting scheduled for this evening was postponed due to weather but the committee gathered at the town hall and was available to talk over issues with the Selectmen if desired. Nathan asked if budget concerns were the biggest hurdle for now. Mr. Jones said that, and hiring a superintendent. Gary asked if there had been many inquiries about the superintendent's position. Mr. Jones said there were several. Nathan asked how the position was advertised. Gordon Donaldson said it is a part time position combined with the Hancock School Department, which is also a part time job. Nathan asked if Ellsworth was doing their own superintendent search. Dr. Donaldson confirmed that was the case. Heather asked if the position between Hancock and Lamoine cumulatively is a part time or full time job. Mr. Jones said it is part time.

Jo asked how often the school committee has been meeting. Dr. Donaldson said every two weeks. Mr. Jones said shifting schedules have made some meeting times difficult, but it's working. Gary asked about joint meetings with Hancock. Mr. Jones said some have occurred already.

Nathan asked if the school committee was looking at options similar to the former Union 92 instead of the other way. Valerie Peacock said there are many options, and no decision has yet been made. Nathan asked whether there has been any discussion about partnering with the MDI school system. A brief discussion followed. Mr. Jones said Lamoine has a very good relationship with Hancock.

Heather asked about current school staff. Michael Brann said the staff is currently contracted through RSU 24 and a brief discussion followed about the status of contracts. Mr. Jones said the school committee will negotiate with teachers at some point, and those working at the Lamoine School will retain their positions there for at least the next year.

Stu reminded the school committee that meeting notices have to be posted and minutes kept according to the Freedom of Access Act. He suggested that such notices be sent to the town office for posting both physically and on the town's website.

Selectmen Rules of Procedure – Heather moved to approve the document. Stu noted that he crossed out the 1st and 3rd Thursdays of the month for regular meetings and changed it to the 2nd and 4th. Jo 2nd. **Vote in favor was 5-0.**

Fee Schedule – Stu said no changes to the current fee structure are proposed. Heather moved to approve the proposed schedule of administrative fees. Nathan 2nd. **Vote in favor was 5-0.** Stu noted that ordinance fees will need to be discussed at some point and that CEO Mike Jordan will likely have some input in the near future. Mr. Jordan confirmed there are some things that he'd like to see changed.

Ballot Clerk Appointments – Stu read the list of clerks chosen by the Republican and Democrat Caucuses as follows:

Republican	Democrat
Kathleen DeFusco	Joan Broussard
Franco Colella	Cynthia Donaldson
Catherine Bragdon	Marion McDevitt
Walter Grenier	Larissa Thomas

Jo moved to appoint the list as presented. Nathan 2nd. **Vote in favor was 5-0, Selectmen signed the appointment papers.** Stu noted that Town Clerk Jennifer Kovacs starts with the list when hiring ballot clerks for an election, and if she is not able to find folks from the list, she has the authority to contact others as needed.

Board Goals – Jo said the Selectmen have done a good job meeting with other boards in the past, but she would like to see communications improved between the boards. She said face to face meetings are very effective, and each board should meet with the Selectmen at least once a year. Heather asked if the Planning Board reports to the Board of Selectmen. Jo said the Selectmen get the minutes and sometimes Mr. Jordan will report on Planning Board activity. She said sometimes the Selectmen attend the Planning Board meetings. Nathan said he gets the most out of meetings like the earlier

one with the school committee this evening, as it's better than reading minutes. Gary said the board started on the right foot with the school committee. He said it's more of an effort to have a face to face meeting. Mr. Jordan said he would like to see the Selectmen show up at other board meetings to see how those boards function.

Mr. Jones said he had an opportunity to listen to a recent Conservation Commission meeting and asked what their charter is. He said the commission's issues seem to be quite widely scattered. Jo said the organization was initially one to gather information and resources to provide to the Selectmen. Bernie said the Commission seems to be very proactive.

Heather asked if the update of the Comprehensive Plan is a goal. It was noted this issue is on the town meeting warrant for both funding and authorization to appoint. A brief discussion followed.

Gary McFarland said he thought Mrs. Hutchinson could attend the Gravel Work Group meetings. Stu said he would be glad to add her to the e-mail list. Mrs. Hutchinson said she bumped into Gary on the phone Tuesday and got talking about her task. She said she'd been thinking about a class project for a while and the gravel issue came up. She said she would like to interview key stake holders and get a sense of how they're seeing the issue from their point of view. She said the project would identify issues and interests and see where there might be common ground. She said it's sometimes helpful to listen to folks without an agenda. She explained that her report would keep interviews confidential to a degree and that it's being done for school, though people included in the report would get a copy.

Mr. Jones noted that both candidates for Selectmen mentioned affordable housing in their campaign literature. He said he would love to see something along that front happen, as it would benefit both the tax base and the demographics of the town. A discussion followed about cluster housing and trailer parks.

Property Tax Lien Foreclosure – Gary reported that a family member of the person whose property was automatically foreclosed on had approached him with some interest in buying back the property for back taxes, fees, and interest. Stu said Gary had mentioned this to him earlier in the day and he prepared a spreadsheet of costs so far, and the minimum due would be \$6,307.15. Heather said she was concerned that a precedent would be set if that happened. Bernie said he would prefer to continue with the eviction/auction course as previously agreed to. Jo noted the former owner and anyone else would have an opportunity to bid on the property when the time comes. Gary said it seems clear that the board wishes to continue on the course taken at the prior meetings.

New England Patriots Request – Stu reported the town received a letter from the New England Patriots Foundation asking to promote a special license plate sale. He said the staff could hang a poster on the bulletin board for a while. There was no objection.

Planet Aid Box – Stu reported Planet Aid had sent a proposed contract that would pay the town a nickel a pound for clothing and shoes collected at the transfer station. He said that would be put on the next agenda.

There being no further business, the meeting adjourned at 8:30 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen